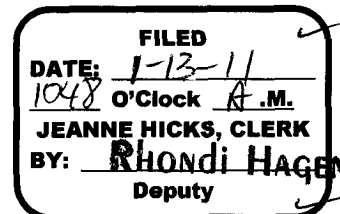


IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI



DIVISION PRO TEM B
HON. WARREN R. DARROW
CASE NO. V1300CR201080049

JEANNE HICKS, CLERK
BY: R. Hagen, Deputy Clerk
DATE: January 13, 2011

TITLE:
STATE OF ARIZONA,

(Plaintiff)

COUNSEL:
Yavapai County Attorney
Sheila Polk/Bill Hughes
(via OnBase),
(For Plaintiff)

v.

JAMES ARTHUR RAY,

Thomas K. Kelly
(Electronically Mailed)
(Co-Counsel for Defendant)
Luis Li/Brad Brian /Truc Do/Miriam Seifter
MUNGER TOLLES & OLSON LLP
355 South Grand Avenue Thirty-Fifth Floor
Los Angeles, California 90071-1560,
(Co-Counsel for Defendant, *Pro Hac Vice*)

(Defendant)

HEARING ON:
TELEPHONIC STATUS CONFERENCE

NATURE OF PROCEEDINGS

COURT REPORTER
Mina Hunt

START TIME: 9:16 a.m.

TELEPHONIC APPEARANCES: Sheila Polk, Counsel for State
Bill Hughes, Co-Counsel for State
Kathy Durrer, Assistant to Counsel for State
Detective Ross Diskin, Case Agent
Luis Li, Counsel for Defendant
Truc Do, Co-Counsel for Defendant
Pam Moreton, Victim Services Representative

Defendant's presence is waived.

Counsel having been provided an opportunity to review the Judge's draft of the Juror Questionnaire, Counsel provide their input and Court and Counsel finalize the Juror Questionnaire. Counsel are advised of the jury voir dire procedure the Court intends to follow. The Court and Counsel discuss confidentiality of Juror information. Counsel for the State advises the Court she will have the correct name of Ms. Neumann to the Court today so that the Juror Questionnaire may be finalized.

Counsel are advised that the Court is in the process of issuing rulings regarding the Motion regarding audio recordings and the Motion in Limine regarding financial records.

The Court advises Counsel that after making a final inquiry, the trial will take place in the Verde Courthouse, not the Prescott Courthouse.

Counsel advise the Court they will agree on a timeline regarding opening statements and witnesses. Discussion ensues. The Court summarizes the agreement of Counsel that Voir Dire will be completed and actual trial will commence with the reading of the preliminary jury instructions and opening statements on March 1st.

The Court and Counsel discuss the dates reserved for hearing on January 26, 27 and 28, 2011 and confirm those dates.

The Court and Counsel discuss whether *Daubert* will apply. Counsel for State advises a new Decision has been handed down and that Counsel for State will provide a copy of that Decision to Defense Counsel.

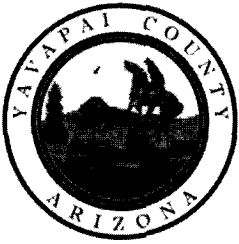
The Court and Counsel discuss the pending Rule 404(b) issue which is under advisement. Counsel agree the Court should take its time and issue a thorough ruling.

IT IS ORDERED setting the following deadlines:

- Deadline for providing initial proposed Jury Instructions – January 31st
- Deadline for providing proposed Voir Dire – January 31st
- Deadline for Exchanging Final List of Witnesses and Exhibits – January 31st

END TIME: 10:48 a.m.

cc: Gallagher & Kennedy, P.C., Counsel for Shore Family (e)
Murphy, Schmitt, Hathaway & Wilson, PLLC, Co-Counsel for Brown Family (e)
Stone & Magnanini, Co-Counsel Brown Family, 150 John F Kennedy Pkwy, 4th Fl, Short Hills, NJ 07078
Aspey, Watkins & Diesel, PLLC, Counsel for Neuman Family (e)
Steptoe & Johnson, Counsel for KPNX Broadcasting Company (e)
Perkins, Coie, Brown & Bain, Counsel KTVK-TV, 2901 N. Central, Ste. 2000, Phoenix, AZ 85012-2788
Division PTB (e)
Victim Services (e)
Court Administration
Jeanne Hicks, Clerk of Court (e)
Customer Service Supervisor, Verde
Notice of Exhibit Deadline



Clerk of Superior Court

Yavapai County Courthouse
120 S. Cortez
Prescott, Arizona 86303
(928) 771-3312
Fax: (928) 771-3111

Yavapai County Court Building
2840 N. Commonwealth Drive
Camp Verde, Arizona 86322
(928) 567-7741
Fax (928) 567-7720

Jeanne Hicks
Clerk

Renee Braner
Chief Deputy

NOTICE OF EXHIBIT DEADLINE

Deadline having been set in this matter for the submission of exhibits,

You are hereby notified that exhibits need to be received by the Clerk no later than 5:00 p.m. on the deadline indicated in the attached minute entry. Failure to comply with the Court Ordered deadline will result in the Clerk advising the Court of the failure to comply. Sanctions may be imposed including the preclusion of the exhibits. **In the event no deadline has been set, exhibits shall be submitted to the Clerk no later than 5 working days prior to any hearing at which exhibits are to be presented.**

Exhibits shall be submitted to the Clerk's office along with a formal list of exhibits. The list shall include a brief description of each exhibit and the following criteria shall be met:

- The Clerk no longer accepts items other than **paper (8.5"x11")**, **audio** or **video** for the purpose of marking, unless otherwise ordered by the Judge. **Photographs will be accepted and marked by the Clerk for any other items.**
- In the event the Judge allows larger or unwieldy items, such as large poster boards, drugs, weapons or cash, they will be accepted by the Clerk on the day of the hearing, however, **a photograph of the item shall also be submitted to be marked along with the item.** The Clerk will be requesting release of the unwieldy items at the end of the hearing but will retain the photograph for purpose of appeal.
- To make arrangements for equipment to be used in the Courtroom at the time of a hearing, please contact the assigned Division in advance.

Thank you for your cooperation in this matter.

Please feel free to contact the following Clerks if you have any questions:

Verde Valley- Exhibit Clerk @ (928) 567-7741
Prescott- Exhibit Clerk @ (928) 771-3312